

REMARKS

Applicants respectfully requests reconsideration of the above identified application in view of the foregoing amendments and following remarks.

Status of Claims

Claims 4-6, 8, 10, 12, and 15-16 have been cancelled. Accordingly, claims 1-3, 7, 9, 11, and 13-14 are now pending.

Applicants respectfully assert that the amendments to claims 1 and 7 add no new matter. Specifically the claims now recite a receiving router and a controller as elements of the private VLAN along with their respective functions. The claims further recite a load balancer and an outbound router along with their respective functions as elements of the public VLAN. Support for all of these elements and their functions can be found, for example, on pages 28-30 and in Figure 7 of the specifications.

Double Patenting

In accordance with the Examiner's request for a terminal disclaimer on claims 1-11, Applicants agree to a terminal disclaimer for pending claims 1-3, 5, 7, 9, and 11 and will file it upon allowance of the claims. It is respectfully submitted that this submission will overcome the double patenting rejection.

Section 102 Rejections

The Examiner has rejected claims 4, 6, 8, 10, 12, and 15-16 under Section 102(e) as being anticipated by Lahr (US Patent Publication No. 2001/0029525). Because claims 4, 6, 8, 10, 12, and 15-16 have been cancelled, the Examiner's Section 102 rejection is now moot.

Section 103 Rejections

The Examiner has rejected claims 1, 5, 7, 9, 11 and 13-14 under Section 103(a) as being unpatentable over Lahr in view of Seiler et al (US Patent Publication No. 2003/0009437). Applicants believe that the current amendments further distinguish Applicants' invention from the prior art and thereby overcome the Examiner's rejection. Neither Lahr nor Seiler disclose private and public VLANs consisting of the elements disclosed by Applicants. As mentioned in Applicants' last response, Lahr's private network provides different functionality than Applicants' private VLAN as part of the transmitting side, not the receiving side of the satellite distribution network. Additionally, Lahr's media serving system depicted in his Figure 3 which the Examiner states "contains the functionality of the [Applicants'] VLANs", has only one connection shared by all of the elements in the system. This single connection teaches away from Applicants' two LAN solution for the structure of the edge node because, unlike Applicants' private VLAN, it does not enable secure remote administrative access to the controller.

Seiler's discussion of the VLANs is limited to the following, "One VLAN contains any systems that a user would need to send a packet to (public VLAN). The

other VLAN contains the back end systems that perform database and application logic functions (private VLAN)" (Seiler, paragraph 238). Seiler doesn't disclose what elements or systems may perform these functions as opposed to the elements of the VLANs as recited in Applicants' claim 1. The cited Figure 47 also does not identify the components of each VLAN. Moreover, Applicants' claim 1 recites capabilities not disclosed by Seiler such as, for example, executing commands from the NOC and load balancing. Thus , Seiler fails to disclose Applicants' VLAN as recited in currently amended claim 1.

Because claims 5, 7, 9, 11 and 13-14 depend from claim 1, Applicants submit that the same conclusions apply. Therefore, Applicants respectfully request that the Examiner reconsider his Section 103 rejection of claim 1 based on the combination of Lahr and Seiler and the claims dependent therefrom.

The Examiner also cites a combination of Lahr and Taylor (2002/0065919) in his Section 103(a) rejection of claims 2 and 3. Taylor also fails to make up for all of the deficiencies of Lahr with respect to the currently amended claims. Specifically, Taylor's structure has four VLANs connected via a single router, not a media server, and a single external gateway for communications versus Applicants' inbound and outbound routers with a satellite and terrestrial connection respectively. This structure does not accommodate Applicants' combination of two separate connections to the node, namely a satellite broadcast connection and a terrestrial connection. Therefore, Applicants respectfully request that the Examiner reconsider his rejection of claims 2 and 3.

The Examiner has also rejected claims 1, 5, 7, and 11 under Section 103(a) as being unpatentable over Rajakarunananayake (“Raja”) in view of Sistanizadeh et al. (U.S. Patent No. 6,681,232). Applicants believe that the current amendments further distinguish Applicants’ invention from this prior art as well and render the Examiner’s rejection moot. Neither Raja nor Sistanizadeh discloses the combination of a two LAN public and private VLANs in a single entity such as Applicants’ edge node with the elements of Applicants’ VLANs as recited in currently amended claim 1. Therefore, Applicants respectfully request that the Examiner reconsider his rejection in view of Raja and Sistanizadeh of claim 1 and dependent claims 5, 7, and 11.

Other Prior Art

The Examiner has cited prior art references Stevens et al (U.S. Patent Publication No. 2002/0010641) and Barker et al (U.S. Patent Publication No. 2001/0023429) as pertinent to Applicants’ disclosure. Applicants respectfully submit that neither of these references alone or in combination discloses Applicants invention as currently amended.

Conclusion

For the foregoing reasons, Applicants submit that the Examiner’s rejection of the claimed invention has been overcome and the claims should be allowed.

Date: August 15, 2006

Respectfully submitted,


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Serial No. 09/960,649
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